



PATENT
Attorney Docket No. 89240.0002
Customer No. 26021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Robert A. DeMARS

Serial No: 10/617,004

Confirmation No: 3094

Filed: July 9, 2003

For: ROTARY FOOD SERVER

Art Unit: 3744

Examiner: Melvin Jones

**PETITION PURSUANT TO 37 C.F.R. § 1.137(b) FOR
REVIVAL OF AN UNINTENTIONALLY ABANDONED
APPLICATION AND CONDITIONAL PETITION FOR
EXTENSION OF TIME**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on

March 11, 2005

Date of Deposit

John P. Schenklacher, Reg. No. 23,009

Name

John P. Schenklacher 03/11/05

Signature

Date

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.137(b), Applicants respectfully petition for revival of the above-identified patent application which became unintentionally abandoned on October 20, 2004. The present application became abandoned as a result of Applicant's failure to file a response to the office action of April 20, 2004 by that date. Enclosed herewith is the response, to continue prosecution of this application.

In accordance with 37 C.R.F. § 1.17(m), a check in the amount of \$750 is submitted to cover the fee for this petition.

Applicant became aware that the application had become abandoned on or about March 7, 2005 upon seeing A Notice of Abandonment mailed by the Patent and Trademark Office on February 23, 2005 and which the undersigned saw for the first time on March 7, 2005. The entire delay from the due date for the required response until the filing of this petition has been unintentional.

03/15/2005 AWONDAF1 00000135 10617004

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750.00 DP

It is believed that no extension of time is required. However, should an extension of time be necessary to revive the above-identified application or to prevent the above-identified application from becoming abandoned again, please consider this a conditional petition for such an extension of time. Please charge any fee for such an extension of time to Deposit Account No. 50-1314. A copy of this paper is enclosed.

If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure revival of the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: March 11, 2005

By: 

John P. Scherlacher
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